

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

Order No. 78-92

NPDES NO. CA0037842

AN ORDER AMENDING ORDER NO. 77-107

AND RESCINDING ORDER NO. 77-108 FOR:

CITIES OF SAN JOSE AND SANTA CLARA  
SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT  
SANTA CLARA COUNTY

The California Regional Water Quality Control Board (hereinafter Board), San Francisco Bay Region, finds that:

1. This Board adopted Order No. 77-107 on July 19, 1977, prescribing waste discharge requirements for the Cities of San Jose and Santa Clara (hereinafter discharger). Order No. 77-107 contains a compliance time schedule prohibiting the present and future discharge of wastes to waters of South San Francisco Bay or its tributaries South of Dumbarton Bridge. This discharge prohibition time schedule was revised by Order No. 78-57, adopted July 18, 1978.
2. The Board also adopted Order No. 77-108, an Enforcement Order for Issuance of a Time Schedule, on July 19, 1977, prescribing a compliance time schedule for the construction of required tertiary facilities.
3. By letter of June 13, 1978, the discharger requested an NPDES Permit time extension for construction of the required tertiary facilities. This request is pursuant to Section 301(i)(1) of the Federal Water Pollution Control Act (FWPCA), as amended. Further information from the discharger indicates that they have acted in good faith, the delays are beyond their control, full compliance with all requirements will be met in the shortest reasonable time, and the waste treatment facilities will operate at optimum conditions in the interim prior to achieving full compliance with the effluent requirements of Order No. 77-107.
4. Based upon Finding 3 above, the Board can extend final compliance with Permit requirements once under Section 301(i)(1) of the FWPCA.
5. The issuance of revised waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21000) of Division 13 of the Public Resources Code in accordance with Water Code Section 13389.
6. The Board has notified the discharger and interested agencies and persons of its intent to prescribe revised requirements for the discharger.
7. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to the provisions of Division 7 of the California Water Code and regulations adopted thereunder, and to the provision of the Federal Water Pollution Control Act, as amended, and regulations and guidelines adopted thereunder, that the discharger shall comply with the following:

1. Board Order No. 77-107, Effluent Limitation B.1. and Provision E.2.a, are amended to read as follows:

a. "B. Effluent Limitations:

1. Prior to achieving compliance with limitations specified in B.3.a. (BOD), B.3.b. (SS), B.3.e. (Turb.), B.5 (Toxi.) and B.8 (Coli.), below, the following interim limitations shall apply:

<u>Constituents</u>	<u>30 Day Average</u>			<u>Daily Maximum</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>kg/day</u>	<u>lbs/day</u>
a. BOD	25	33,400	15,150	66,800
Suspended Solids	30	40,050	18,200	80,100
b. Total Coliform	bacteria for a median of 5 consecutive samples shall not exceed 240 MPN/100 ml. Any single sample shall not exceed a most probable number (MPN) of 10,000 total coliform bacteria per 100 ml when verified by a repeat sample taken within 48 hours.			
c. Toxicity	Survival of test organisms acceptable to the Regional Board in 96 hour bioassays of the effluent shall achieve a median of 70% survival for five consecutive samples."			

b. Provision E.2.a

- "2. The discharger shall comply with the following time schedule to assure compliance with specifications of this Order.

- a. Compliance with Effluent Limitations B.3.a.(BOD), B.3.b. (SS), B.3.e.(Turb.) B.5.(Tox.), B.8.(Coli.); Receiving Water Limitations C.1.a,c.(Temp, Turb, etc.), C.2.a. (DO), C.2.d.(Ammonia):

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Complete Construction	Dec. 25, 1978	Jan. 8, 1979
Full Compliance	March 15, 1979	April 2, 1979

..."

2. The requirements prescribed by this Order supersede the requirements prescribed by Order No. 77-108, adopted by the Board on July 19, 1978. Order No. 77-108 is hereby rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on November 21, 1978.

FRED H. DIERKER  
Executive Officer